

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03635 (CGM)
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03636 (CGM)

SECOND AMENDED SCHEDULING ORDER
ON PERSONAL JURISDICTION BRIEFING AND SUBSEQUENT DISCOVERY

WHEREAS, on September 28, 2021, the Court entered a scheduling order for briefing motions to dismiss for lack of personal jurisdiction (“PJ Motions”);

WHEREAS, on January 14, 2022, the Court amended that scheduling order to facilitate the parties’ continued negotiations over jurisdictional discovery;

WHEREAS, the Liquidators informed this Court in an April 21, 2022 letter filing of their intention to seek an extension of the case schedule to account for delays in receiving the jurisdictional discovery needed to oppose defendants' pending motions to dismiss;

WHEREAS, the Liquidators requested a deadline for the parties to substantially complete jurisdictional discovery, which deadline is necessary to inform the length of any requested extension to the case schedule;

WHEREAS, the Liquidators require sufficient time in which to review defendants' productions in order to respond to the PJ Motions; and

WHEREAS, there is good cause to extend the case schedule accordingly;

IT IS NOW, THEREFORE, HEREBY ORDERED, that:

1. The parties shall finally complete all jurisdictional document productions by August 15, 2022, unless the parties agree to a later deadline;
2. Liquidators shall file their oppositions to defendants' PJ Motions by March 31, 2023, with 30 days' notice to the applicable Defendant should Liquidators choose to file their opposition to such Defendant's PJ Motion prior to March 31, 2023;
3. Defendants shall file their replies in further support of their PJ Motions within 90 days of service of an opposition;
4. The Court shall hear argument on the PJ Motions at the next omnibus conference that is at least 120 days after service of an opposition;
5. Interrogatories (except contention interrogatories) shall be served by December 19, 2023;
6. Contention interrogatories and requests for admission shall be served by December 2, 2024;

7. Contention interrogatories shall be served no earlier than December 19, 2023;
8. The parties shall substantially complete all merits document productions by August 22, 2023;
9. Fact discovery shall conclude by April 1, 2024;
10. The deadline for the Parties to disclose the identity of any expert witness that the designating Party may use at trial to present evidence under Federal Rules of Evidence 702, 703, or 705 is February 12, 2024;
11. The Parties shall submit a mutually agreed to proposed schedule for exchanging any other disclosures required under Federal Rule of Civil Procedure 26(a)(2)(B), including service of principal expert reports, identification of rebuttal expert witnesses and service of rebuttal expert reports and disclosures, and completion of expert depositions (or, barring agreement, competing proposed Orders for the Court's consideration) no later than April 15, 2024;
12. All expert discovery shall be completed by December 2, 2024;
13. Any request for leave to amend pleadings or join parties shall be made by February 29, 2024;
14. The parties shall jointly contact the Court on December 2, 2024 to schedule a status conference to discuss summary judgment and trial; and

15. To the extent not modified herein, the provisions of the September 28, 2021 scheduling order regarding the PJ Motions and the October 25, 2021 scheduling order following the parties' Rule 26(f) conference remain in full force and effect.

Dated: August 2, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge